

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

EARL MORGAN	:	CIVIL ACTION
	:	
v.	:	
	:	
JAMES T. WYNDER, et al.	:	NO. 07-3060

**ORDER**

**AND NOW**, this 3rd day of March, 2009, upon careful and independent consideration of the Petition for Writ of Habeas Corpus filed pursuant to 28 U.S.C. § 2254, and all attendant and responsive briefing, and after review of the Report and Recommendation of United States Magistrate Judge Henry S. Perkins, and consideration of Petitioner's "Objection to the Magistrate Judge's Report and Recommendation" (Docket No. 18), **IT IS HEREBY ORDERED** as follows:

1. Petitioner's Objection to the Report and Recommendation is **OVERRULED**.
2. The Report and Recommendation is **APPROVED** and **ADOPTED**.<sup>1</sup>
3. The Petition for Writ of Habeas Corpus is **DENIED**.
4. There is no basis for the issuance of a certificate of appealability.
5. The Clerk shall **CLOSE** this case statistically.

BY THE COURT:

/s John R. Padova  
John R. Padova, J.

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<sup>1</sup>Petitioner's objections to the Magistrate Judge's Report and Recommendation present no new issues. The issues that have been set forth by such objections have been fully and correctly addressed by the Report and Recommendation, which is now approved and adopted.